CLERK US DISTRICT COURT NORTHERN DIST. OF TX FILED

## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS AMARILLO DIVISION

2016 AUG 23 PM 4: 26

CHARLES LEE STRICKLAND,	§	
	§	
Petitioner,	§	
	§	
v.	§	2:16-CV-0116
	§	
LORIE DAVIS, Director,	§	
Texas Department of Criminal Justice,	§	
Correctional Institutions Division,	§	
	§	
Respondent.	§	

# REPORT AND RECOMMENDATION TO DISMISS PETITION FOR A WRIT OF HABEAS CORPUS

On July 13, 2016, the Court ordered petitioner to submit, on or before August 1, 2016, copies of all of the time dispute resolution documents he alleges he submitted to TDCJ officials and copies of all responses from TDCJ. Petitioner was further ordered that if he does not have copies of such documents, he must attempt to obtain them and, if unsuccessful, he should outline, in detail, what he submitted, what response he received, and relevant dates. Petitioner was warned that failure to comply with the Court's Order could result in the dismissal of this case.

As of this date, petitioner has not complied with the July 13, 2016 Order and is in direct disregard of an Order of the Court. Petitioner has not submitted any pleadings to this Court, nor has he communicated with this Court in any manner, since the July 13, 2016 Order. It is the opinion of the undersigned that petitioner has neglected his case to such an extent that it warrants dismissal.

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### RECOMMENDATION

It is the RECOMMENDATION of the United States Magistrate Judge to the United States District Judge that the Petition for a Writ of Habeas Corpus filed by petitioner CHARLES LEE STRICKLAND be DISMISSED for want of prosecution.

#### INSTRUCTIONS FOR SERVICE

The United States District Clerk is directed to send a copy of this Report and Recommendation to each party by the most efficient means available.

IT IS SO RECOMMENDED.

ENTERED this 23 day of August 2016.

CLINTON E AVERITTE
UNITED STATES MAGISTRATE JUDGE

### \* NOTICE OF RIGHT TO OBJECT \*

Any party may object to these proposed findings, conclusions and recommendation. In the event parties wish to object, they are hereby NOTIFIED that the deadline for filing objections is fourteen (14) days from the date of filing as indicated by the "entered" date directly above the signature line. Service is complete upon mailing, Fed. R. Civ. P. 5(b)(2)(C), or transmission by electronic means, Fed. R. Civ. P. 5(b)(2)(E). Any objections must be filed on or before the fourteenth (14th) day after this recommendation is filed as indicated by the "entered" date. See 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b)(2); see also Fed. R. Civ. P. 6(d).

Any such objections shall be made in a written pleading entitled "Objections to the Report and Recommendation." Objecting parties shall file the written objections with the United States District Clerk and serve a copy of such objections on all other parties. A party's failure to timely file written objections to the proposed findings, conclusions, and recommendation contained in this report shall bar an aggrieved party, except upon grounds of plain error, from attacking on appeal the unobjected-to proposed factual findings, legal conclusions, and

recommendation set forth by the Magistrate Judge in this report and accepted by the district court. See Douglass v. United Services Auto. Ass'n, 79 F.3d 1415, 1428-29 (5th Cir. 1996) (en banc), superseded by statute on other grounds, 28 U.S.C. § 636(b)(1), as recognized in ACS Recovery Servs., Inc. v. Griffin, 676 F.3d 512, 521 n.5 (5th Cir. 2012); Rodriguez v. Bowen, 857 F.2d 275, 276-77 (5th Cir. 1988).